

SL427

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CUSHMAN
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED
VEROTOXIN PHARMACEUTICAL COMPOSITIONS AND MEDICAL TREATMENTS THEREWITH

the specification of which (CHECK applicable BOX(ES))

X ☒ is attached hereto.
-> ☐ was filed on _____ as U.S. Application No. 0 / _____
BOX(ES) -> ☐ was filed as PCT International Application No. PCT/ _____ / _____ on _____
-> -> and (if applicable as U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S) Number	Country	Date first Filed Day/MONTH/Year Filed	Date first Laid- open or Published	Date Patented or Granted	Priority Claimed Yes No
2,116,179	Canada	22/02/1994			X

I hereby claim the benefit under 35 U.S.C. 120/365 of all United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. OR PCT APPLICATION(S)
Application No. (series code/serial no.)

Day/MONTH/Year Filed

Status
pending, abandoned, patented

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Cushman, Darby & Cushman, 1100 New York Avenue, N.W., Ninth Floor, Washington, D.C. 20005-3918, telephone number 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct Cushman, Darby & Cushman in writing to the contrary.

Paul N. Kokulis	16773	Kevin E. Joyce	20508	Watson T. Scott	26581	Lawrence Harbin	27644
Raymond F. Lippitz	17519	Edward M. Prince	22429	Peter W. Gowdey	25872	Paul E. White, Jr.	32011
G. Lloyd Knight	17698	Donald B. Deaver	23048	Dale S. Lazar	28872	Nancy J. Linck	31920
Carl G. Love	18781	David W. Brinkman	20817	Glenn J. Perry	28458	Scott C. Harris	32030
Lawrence A. Hymo	19057	George M. Sirilla	18221	Kendrew H. Colton	30368	Michelle N. Lester	32331
Edgar H. Martin	20534	Donald J. Bird	25323	Chris Commuzzis	31097	Jeffrey A. Simenauer	31933
William K. West, Jr.	22057	W. Warren Talavull	25647	Wallace G. Walter	27843	Robert A. Molan	29834
						G. Paul Edgell	24238

1. INVENTOR'S SIGNATURE: [Signature] Date 23.11.94
Inventor's Name (typed) CLIFFORD A. LINGWOOD CANADA
First Middle Initial Family Name Country of Citizenship
Residence (City) Toronto (State/Foreign Country) Canada
Post Office Address (Include Zip Code) 555 University Avenue, Toronto, Ontario, Canada M5G 1X8
Estate of Hannah Farkas-Himsley (Executor) Date 24 Nov '94
2. INVENTOR'S SIGNATURE: [Signature] (Deceased)
Inventor's Name (typed) HANNAH FARKAS-HIMSLEY (Deceased)
First Middle Initial Family Name Country of Citizenship
Residence (City) _____ (State/Foreign Country) _____
Post Office Address (Include Zip Code) _____
3. INVENTOR'S SIGNATURE: [Signature] Date 24 Nov '94
Inventor's Name (typed) ROBERT L. HILL CANADA
First Middle Initial Family Name Country of Citizenship
Residence (City) Toronto (State/Foreign Country) Canada
Post Office Address (Include Zip Code) 555 University Avenue, Toronto, Ontario, Canada M5G 1X8

(FOR ADDITIONAL INVENTORS, check box ☐ and attach sheet (CDC-116.2) for same information for each re signature, name, date, citizenship, residence and address.)

CLIFFORD A. LINGWOOD, HANNAH FARKAS-HIMSLEY (deceased)

Inventor(s): AND ~~ROBERT HILL~~Appn. or Patent No.: RICHARDFiled or Issued: February 10, 1995For: VEROTOXIN PHARMACEUTICAL COMPOSITIONS AND MEDICAL TREATMENTS THEREWITH

(Atty. Dkt.

217380 / SL427
M# / Client Ref.**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled VEROTOXIN PHARMACEUTICAL COMPOSITIONS AND MEDICAL TREATMENTS THEREWITH described in

- ☒ the specification filed herewith.
☐ application No. 0 / _____, filed _____.
☐ patent No. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each (small entity) person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below in (A) and (B)

(A) FULL NAME of assignee/licensee/grantee/conveyee* _____

UNIVERSITY OF TORONTO INNOVATIONS FOUNDATION

ADDRESS 525 UNIVERSITY AVE., TORONTO, ONTARIO, CANADA M5G 2L3

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee* _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE: Separate verified statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

1. CLIFFORD A. LINGWOOD
NAME OF INVENTOR

Signature of Inventor

Date

2. HANNAH FARKAS-HIMSLEY
NAME OF INVENTOR (deceased)

Estate of H. Farkas-Himsley

By: _____
Signature of Inventor

Date

3.

RICHARD
~~ROBERT HILL~~
NAME OF INVENTOR

Signature of Inventor

Date

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION UNIVERSITY OF TORONTO INNOVATIONS FOUNDATION
ADDRESS OF ORGANIZATION 525 UNIVERSITY AVENUE, SUITE 925
TORONTO, ONTARIO, CANADA M5G 2L3

TYPE OF ORGANIZATION
☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) d (b) of Title 35, United States Code, with regard to the invention titled VEROTOXIN PHARMACEUTICAL COMPOSITIONS AND MEDICAL TREATMENTS THEREWITH
inventor(s) CLIFFORD A. LINGWOOD, HANNAH FARKAS-HIMSLEY (deceased) & ROBERT HILL described in

+ ☒ the Specification filed herewith,
e + ☐ Application No. 0 /, filed _____,
x + ☐ Patent No. _____, issued _____.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

the rights held by the nonprofit organization are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below in (A) and) and no rights to the invention are held by any person, other than the inventor, who could qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

) FULL NAME of assignee/licensee/grantee/conveyee* _____
ADDRESS _____
proper box: ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

) FULL NAME of assignee/licensee/grantee/conveyee* _____
ADDRESS _____
proper box: ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE: Separate verified statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the fee of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING EDWARD J. KENNEY
TITLE IN ORGANIZATION PRESIDENT
ADDRESS OF PERSON SIGNING 525 UNIVERSITY AVE., SUITE 925, TORONTO, ONTARIO, CANADA M5G 2L3
SIGNATURE Edward J. Kenney DATE 28 NOV 1994